

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

SPENCER NEAL,)	
)	CASE NO. 5:18CV2799
Plaintiff,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
EL RINCON INC.,)	
)	
Defendant.)	<u>ORDER OF DISMISSAL</u>

Pending is Plaintiff's Notice of Dismissal ([ECF No. 23](#)), treated as a motion to dismiss.

[Fed. R. Civ. P. 41\(a\)\(1\)\(A\)\(i\)](#) provides that an action may be dismissed by the plaintiff without order of court by filing "a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment." Defendant filed an Answer ([ECF No. 12](#)) on February 21, 2019.

For good cause shown, the motion is granted. The Complaint ([ECF No. 1](#)) is dismissed with prejudice pursuant to [Fed. R. Civ. P. 41\(a\)\(2\)](#). The Telephonic Status Conference set on June 3, 2019 is cancelled. The case is hereby closed.

IT IS SO ORDERED.

May 22, 2019
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge